

CHILD PROTECTION Policy

Policy and Procedures

Grays Point Activity Centre believes that it is every child's right to be safe and protected from all forms of abuse, violence or exploitation. It is the legal and moral obligation of all adults who work within our service to ensure the safety and wellbeing of all children in our care. All staff, including casual staff, volunteers and students have a duty of care to ensure the safety and protection to all children who access the service's facilities and/ or programs.

The safety and welfare of all children is of paramount importance.

Staff and management have a legal responsibility, as Mandatory Reporters, to take action to protect and support children they suspect may be at significant risk of harm.

Our service will carry out the responsibilities of Mandatory Reporters as indicated under legislation. This responsibility involves following the procedures as outlined by Community Services and the NSW Commission for Children and Young People.

Procedure

Mandatory Reporting

- A Mandatory Reporter is anybody who delivers services to children as part of their paid or professional work.
- In OOSH services mandatory reporters are:
 - Staff that deliver services to children
 - Management, either paid or voluntary, whose duties include direct responsibility or direct supervision for the provision of these services.
- Educators are mandated to report to Community Services if they have current concerns about the safety or welfare of a child relating to section 23 of the NSW Children and Young Persons (Care and Protection) Act 1998

Section 23 (1)

- a-b) Child is at significant risk of harm – Neglect
 - a) basic physical or psychological needs not being met or are at risk of not being met
 - b) parents/ carers unwilling or unable to provide necessary medical care
 - b1) parents/ carers unwilling or unable to arrange for the child or young person to receive an education
- c) Child is at significant risk of harm – Physical / Sexual abuse
- d) Child is at significant risk of harm – Domestic violence
- e) Child is at significant risk of harm – Serious Psychological harm
- f) Child is at significant risk of harm – Prenatal report

- Staff will undergo training in relation to child protection and reporting as part of the training budget.
- Any staff who forms a belief based on reasonable grounds that a child is at risk of harm should discuss their concerns with the Nominated Supervisor and/or the Responsible Person in charge of daily operation as they may have information the educator is not aware of. The incident/s that lead the educator to form the belief should be recorded concisely in a clear objective format, include as much detail as possible and be kept in a secure place to ensure confidentiality.
- Reports should be treated with strict confidentiality in adherence to the service's Confidentiality Policy and Procedures.
- The Nominated Supervisor/Responsible Person in charge will then assist staff in running the online Mandatory Reporter Guide (MRG), which is located on the ChildStory Reporter website. <http://reporter.childstory.nsw.gov.au> (see point below for more information) to determine whether the report meets the threshold for **significant** risk of harm.
- The MRG has improved in design, and there is growing-body of resources to help you respond to any child protection concerns. The ChildStory Reporter Website will continue to evolve and currently includes a number of video's and resources to share with staff. It will provide mandatory reporters with a single location to:
 - Run the MRG and directly submit the report to the Child Protection Helpline if this is the outcome
 - Access support resources
 - Access status updates on previously submitted report
- If directed by MRG to report to Community services, staff should report their concerns to the Child Protection Helpline:
Mandatory Reporters phone 13 36 27

Non-Mandatory reporters phone 132 111
- When reporting to the Helpline it is important to have as much information as possible available to give to the Helpline. This might include child's information, family information, reporter details and outcomes of the MRG.
- If the Nominated Supervisor/ Responsible Person has been advised to but has not reported to Community Services staff is legally responsible to do so.
- Once a report is made to the CS Helpline no further report needs to be made unless new information comes to hand.

Mandatory Reporting Guidance tool

- The Mandatory Reporting Guidance tool has been developed to help frontline mandatory reporters, including OOSH workers determine whether the risk to a child or young person meets the new statutory threshold of 'risk of significant harm'. The MRG will guide reporter on what action should be taken. The MRG is an interactive tool and is available online at <http://reporter.childstory.nsw.gov.au>
- The MRG supports mandatory reporters to:

- determine whether a report to the Child Protection Helpline is needed for concerns about possible abuse or neglect of a child (including unborn) or young person
 - identify alternative ways to support vulnerable children, young people and their families where a mandatory reporter's response is better served outside the statutory child protection system
 - It is recommended that mandatory reporters complete the MRG on each occasion they have risk concerns, regardless of their level of experience or expertise. Each circumstance is different and every child and young person is unique.
- If still in doubt the Community Services Helpline will provide feedback about whether or not the report meets the new threshold for statutory intervention.
 - If new information presents concerning the child or young person run the MRG tool again
 - Where concerns do not meet the significant harm threshold, the MRG tool may guide you to 'Document and continue the relationship'. This requires the service to continue to support, provide services, and coordinate assistance and referral for the child and their family.
 - Regardless of the outcome of using the MRG, the family and child will require support and referral where possible.
 - The report page from the MRG should be printed and placed in the child/family file for future reference regardless of whether or not further action is recommended.

For assistance with referral information.

Human Services Network www.hsnet.nsw.gov.au

Family Services NSW www.familyservices.nsw.asn.au

Information exchange

In order to provide effective support and referral it may be necessary to exchange information with other prescribed bodies including government agencies or non-government organisations and services.

- The NSW Children and Young Persons (Care and Protection) Act 1998 has been amended (2009) to include chapter 16A Information Exchange
- Chapter 16A requires prescribed bodies to take reasonable steps to coordinate decision making and the delivery of services regarding children and young people
- Under Chapter 16 A NSW Children and Young Persons (Care and Protection) Act 1998, Staff will exchange information that relates to a child or young persons safety, welfare or wellbeing,

whether or not the child or young person is known to Community Services and whether or not the child or young person consents to the information exchange.

- The information requested or provided **must** relate to the safety, welfare or wellbeing of the child. Information includes:
 - A child or young persons history or circumstances
 - A parent or other family member, significant or relevant relationship
 - The agency's work now and in the past

- Where information is provided in good faith and according to legal provisions, under section 29 & section 245G NSW Children and Young Persons (Care and Protection) Act 1998; reporters cannot be seen as breaching professional etiquette or ethics or as a breach of professional standards. There can be no liability for court action.

NOTE: It is recommended that services develop a separate policy relating specifically to Information exchange

Where a complaint is made about a staff member, or someone in the service

- Should an incident occur that involves a child being put at risk of harm from a member of staff, volunteer, trainee or person visiting the service, this is regarded as **'reportable conduct'** and necessitates such conduct being reported to the NSW Ombudsman within 30 days.

- Where the allegation is made to a staff member or member of management the facts as stated will be recorded in writing, using an Incident Report template that includes dates, times, names of person/s involved, name of person making allegation and the person making the report. This report should be kept on record and treated as strictly confidential.

- If the Nominated Supervisor or Responsible Person in charge is suspected then the President on management committee should be informed.

- The relevant forms together with information and assistance are available on line at www.nswombudsman.nsw.gov.au

- The person making the report should follow the advice of the Ombudsman's Departmental Officers.

- Management will also follow this advice.

- The matter will be treated with strict confidentiality.

- For the protection of both the children and the staff member involved, the staff member should be encouraged to take special leave or removed from duties involving direct care and contact with children, until the situation is resolved.

- Support should be provided to all involved. This support can be given in the form of counseling or referral to an appropriate agency.

Recruitment of staff

- All staff employed by the service including management, full time/ part time carers, volunteers and students will be subject to a Working with Children Check carried out by the NSW Commission for Children and Young People.
- New staff members are required to provide the service with their WWCC application number which the service will need to verify their status online. The application number alone is not sufficient proof of a members status.
 - When the service engages a self employed individual to provide services, the provider is required to provide a **Certificate for Self Employed People**. This certificate ensures verification that the person employed is not banned by law from working with children. These certificates are issued through the NSW Commission for Children and Young People. Application form and instructions are available on www.kids.nsw.gov.au
 - All staff will be informed of their responsibilities as a Mandatory Reporter as part of their orientation and induction process. This will involve discussion regarding their current understanding, use of this policy and resources and access to Child Protection training. Information related to sexual grooming will also be provided upon orientation and induction to ensure that staff are fully aware of the signs and limits related to appropriately interacting with children.

For further information

- Keep Them Safe www.keepthemsafe.nsw.gov.au
- Human Services Network www.hsnet.nsw.gov.au
- Ombudsman www.nswombudsman.nsw.gov.au
- Community Services www.community.nsw.gov.au
- NSW Commission for Children and Young People www.kids.nsw.gov.au
- Child Protection Helpline 13 36 27

CONSIDERATIONS:

GPAC Child Protection Policy
 In compliance with Education and Care Services National Regulations
 Owner: GPAC Committee
 Endorsed: (11/04/2017)

Education and Care Services National Regulations	National Quality Standard	Other Service policies/documentation	Other
Education and Care Services National Law 2010	National Quality Standard 2	<ul style="list-style-type: none"> - Staff handbook - Child Protection code of conduct for staff and volunteers with direct contact with children - Reportable Conduct Policy 	<ul style="list-style-type: none"> - NSW Children and Young Person's (Care and Protection) Act 1998 - Commission for Children and Young People Act 1998 - Child Protection (Prohibited Employment) Act 1998 - Ombudsman Act 1974 (with relevant Child Protection Amendments) - NSW Department of Community Services Mandatory Reporting Guidelines - NSW Child Protection Interagency Guidelines (2006) - Legislation Amendment (Wood Inquiry Recommendations) Act 2009 No 13 - Keep Them Safe – Information session/ overview participants manual 2009/ 2010 - My Time, Our Place.

ENDORSEMENT BY THE SERVICE:

Approval date: _____

Signature: _____